REMARKS/ARGUMENT

Claims 1-10, 24-29, 31, 32, and 34-43 are pending in the present application. Claims 1-3, 10, 24-26, 29, 31, and 32 have been amended. Claims 11-23, 30, and 33 have been cancelled. Claims 34-43 have been added. Support for the amended claims can be found, for example, in paragraphs [0017]-[0028] and FIGS. 1-5 of pre-grant publication 2004/0142370. No new matter has been added.

Reconsideration of the claims based on the below comments is respectfully requested.

Telephonic Interview and Interview Summary

The Applicants note with appreciation the telephonic interview with Examiner Turk on April 8, 2009. During the interview, the specification objection and the 35 U.S.C. 112, ¶ 1, claim rejections related to overillumination redirection facets disposed at approximately a 45 degree angle or an acute angle were discussed. The Examiner agreed that the disclosure in paragraph [0018] of pre-grant publication no. US 2004/0142370 disclosed overillumination redirection facets disposed at approximately a 45 degree angle. Furthermore, the anticipation, obviousness, and/or 35 U.S.C. 112, ¶ 1 rejections of claims 1, 25, and 29 were discussed. Based on the interview, the Examiner agreed to further consider Applicants arguments and amendments in this response to the December 16, 2008 Office action.

Objection to the Drawings

The drawings were objected to under 37 C.F.R. 1.83(a). The drawing objections were specifically directed to claims 1-10, 21-33 with respect to embodiments which have one, two, three, five, or more overillumination redirection facets. Furthermore, the drawing objections were directed to claims 2, 3, and 29 with respect to the illumination redirection facet, the detection redirection facet, and the read window disposed along the input light path. Claims 21, 22, 30, and 33 have been cancelled, and thus, any objection related to these claims is rendered moot. The remaining objections are respectfully traversed.

The Office action cites to 37 C.F.R. 1.83(a) as support for the drawing objections. Under 37 C.F.R. 1.83(a), "[t]he drawing in a nonprovisional application must show every feature of the invention specified in the claims." In contrast to the rule, the Office action improperly suggests

that the claimed invention must include every feature shown in the drawings. That is, the Office action appears to make an improper drawing objection and to provide inappropriate statutory or regulatory support for its objections.

As indirect support for the inappropriateness of the drawing objection, reference is made to MPEP §2111, which states:

> Though understanding the claim language may be aided by explanations contained in the written description, it is important not to import into a claim limitations that are not part of the claim. For example, a particular embodiment appearing in the written description may not be read into a claim when the claim language is broader than the embodiment." *Superguide Corp. v. DirecTV Enterprises, Inc.*, 358 F.3d 870, 875, 69 USPQ2d 1865, 1868 (Fed. Cir. 2004). *See also Liebel-Flarsheim Co. v. Medrad Inc.*, 358 F.3d 898, 906, 69 USPQ2d 1801, 1807 (Fed. Cir. 2004)(discussing recent cases wherein the court expressly rejected the contention that if a patent describes only a single embodiment, the claims of the patent must be construed as being limited to that embodiment).

M.P.E.P. §2111.01 (Rev. 6, Sept. 2007) (emphasis added).

The drawing objections appear to be contradictory to M.P.E.P. §2111.

While the above discussion demonstrates the Applicants disagreement with the drawing objections and the references to claims 1-10, 23-29, 31, and 32, independent claims 1, 25, and 29 have been amended to recite, *inter alia*: "four overillumination redirection facets". Furthermore, claim 29 has been further amended to recite, *inter alia*: "a read window disposed along a light pathway, wherein said illumination light guide, said read window, and said detection guide define said light pathway".

Additional drawing objections were made with reference to claims 2 and 3. Specifically, the drawing objections improperly require a drawing illustrating only the features recited in claims 2 and only the features recited in claim 3. However, the Applicants refer the Examiner to FIG. 1, which illustrates, for example, an illumination redirection facet 30 and a detection redirection facet 38, which are also describes in paragraphs [0020]-[0023] of pre-grant publication no. US 2004/0142370. That is, the drawings provide support for both claims 2 and 3.. Furthermore, reference is made again to the above discussion of 37 C.F.R. 1.83(a) and M.P.E.P. §2111.01.

For at least these reasons, Applicants' request that the drawing objections be withdrawn. No new matter has been added.

Objection to the Specification

The specification was objected to on allegations of failing to provide proper antecedent basis for the claimed subject matter within claims 23, 26, and 33, including recitations of at least one of the overillumination redirection facets disposed at approximately 45 degrees from the illumination input area, and the recitation of an acute angle of at least two facets with respect to the illumination light guide. Claims 23 and 33 have been cancelled, and thus, the specification objection related to these two claims is rendered moot. The remaining objection is respectfully traversed.

Amended claim 26 recites, *inter alia*, "wherein at least two of said overillumination redirection facets are disposed at approximately 45 degree angles from a longitudinal axis of said illumination light guide." Support for claim 26 can be found, for example, in paragraph [0018] of pre-grant publication no US 2004/0142370, which recites that "[t]he overillumination redirection facets 22, 24, 26, and 28, reflect the input light via total internal reflection to redirect the over-illuminated portion of the input illumination approximately perpendicular to the illumination light guide." A person of ordinary skill in the art would understand that to redirect the over-illuminated portion of the input illumination perpendicular to the illumination light guide would be done with the overillumination redirection facets disposed at 45 degree angles. A person of ordinary skill in the art and a person with a basic understanding of geometry would also understand a 45 degree angle (i.e., which is less than 90 degrees) to be an acute angle.[1] Further support can be found, for example, in FIG. 2 which illustrates, *inter alia*, one example of overillumination redirection facets, 24, 26, at approximately 45 degree angles (and at acute angles) from a longitudinal axis of the illumination light guide 18. Thus, contrary to the assertions of the Office action, the specification does provide proper antecedent basis for the claimed subject matter.

[1] Acute angle, one less than a right angle. Right angle, an angle of 90 degrees. *See, e.g.*, *Oxford English Dictionary*, 2nd ed. 1989, at http://dictionary.oed.com/cgi/findword?query_type=word& queryword=acute (last visited May 8, 2009).

For at least these reasons, Applicants' request that the objection to the specification be withdrawn. No new matter has been added.

Rejection of Claims 1-10, 21-29, and 31-33 Based on 35 U.S.C. § 112, First Paragraph

Claims 1-10, 21-29, and 31-33 were rejected under 35 U.S.C. § 112, first paragraph, based on allegations that the specification does not provide enablement for one, two, three, five, or more overillumination redirection facets. Claims 29, 31, and 32 were further rejected under 35 U.S.C. § 112, first paragraph, based on allegations that the specification does not provide enablement for a read window disposed along the input light path. Claims 23, 26, and 33 were further rejected under 35 U.S.C. § 112, first paragraph, based on allegations that the specification does not provide enablement for one or more overillumination redirection facets to be disposed at 45 degree angles from an input area. Claims 21-23 and 33 have been cancelled, and thus, the rejection of these claims is rendered moot. The rejection of the remaining claims are respectfully traversed.

The Applicants disagree with the rejection of claims 1-10, 24-29, 31, and 32 as improperly requiring a particular embodiment appearing in the written description to be read into the claims when the claim language is broader than the embodiment. *See, e.g.*, *Superguide Corp.*, 358 F.3d at 875, 69 USPQ2d at 1868 (Fed. Cir. 2004); *see also Liebel-Flarsheim Co.*, 358 F.3d at 906, 69 USPQ2d at 1807 (Fed. Cir. 2004)(discussing recent cases wherein the court expressly rejected the contention that if a patent describes only a single embodiment, the claims of the patent must be construed as being limited to that embodiment). Rather, the specification of the present application is enabling of "one or more overillumination redirection facets" and "at least three overillumination redirection facets". (*See, e.g.*, US 2004/0142370, at paragraphs [0017]-[0029]). However, the Office action attempts to **improperly require a particular embodiment appearing in the written description to be read into the claims**.

To expedite prosecution for claims 1-10, 24-29, 31, and 32, independent claims 1, 25, and 29 have been amended to recite, *inter alia*, (i) four overillumination redirection facets disposed about an outside perimeter of an illumination light guide; (ii) four overillumination redirection facets located proximate to and in optical communication with an illumination input area and an

illumination light guide; or (iii) four overillumination redirection facets located adjacent to and in optical communication with an illumination input area and an illumination light guide.

Amended independent claim 29 also recites, *inter alia*, "a read window disposed along a light pathway, wherein said illumination light guide, said read window, and said detection guide define said light pathway." As admitted in the Office action (*see* p. 7), the read window is disposed perpendicular to the input light path, and thus, is disposed along a light pathway as currently recited in amended claim 29. However, the Office action again attempts to **improperly require a particular embodiment appearing in the written description to be read into the claims**. *See, e.g.*, *Superguide Corp.*, 358 F.3d at 875, 69 USPQ2d at 1868 (Fed. Cir. 2004); *see also Liebel-Flarsheim Co.*, 358 F.3d at 906, 69 USPQ2d at 1807 (Fed. Cir. 2004).

Claim 26 has been amended to recite "wherein at least two of said overillumination redirection facets are disposed at approximately 45 degree angles from a longitudinal axis of said illumination light guide." As discussed above in the specification objections, claim 26 is enabled by, for example, paragraph [0018] of pre-grant publication no US 2004/0142370, which recites that "[t]he overillumination redirection facets 22, 24, 26, and 28, reflect the input light via total internal reflection to redirect the over-illuminated portion of the input illumination approximately perpendicular to the illumination light guide." Further support can be found, for example, in FIG. 2 which illustrates, *inter alia*, one example of overillumination redirection facets, 24, 26, at approximately 45 degree angles from a longitudinal axis of the illumination light guide 18. From these descriptions, a person having ordinary skill in the art would understand the features recited in claim 26.

Claims 31 and 32 have been amended to recite, respectively, that the read window is disposed approximately perpendicular to the light pathway or the detection guide is disposed approximately parallel to the illumination light guide.

For at least these reasons, Applicants' request that the 35 U.S.C. § 112, first paragraph rejections of claim 1-10, 24-29, 31, and 32 be withdrawn and the claims allowed.

Rejection of Claims 1-10, 21-29, and 31-33 Based on 35 U.S.C. § 112, Second Paragraph

Claims 1-10, 21-29, and 31-33 were rejected under 35 U.S.C. § 112, second paragraph, on allegations of indefiniteness. Specifically, for claims 1, 25, and 29, the Office action alleges that it is unclear what is meant by the recitation of "overilluminating light". (*See* Office action, at 8). The Office action then states that recitations of overillumination redirection facets intersecting and directing away overilluminating light were not given patentable weight in the Examiner's analysis because such elements were viewed as process and functional features in a device claim. (*See* Office action, at 8). Claims 21-23 and 33 have been cancelled, and thus, the rejection of these claims is rendered moot. The rejection of the remaining claims are respectfully traversed.

Independent claims 1, 25, and 29 have been amended to recite structural aspects of the overillumination redirection facets with respect to the illumination light guide. Specifically, amended claim 1 recites a format (e.g., an apparatus) comprising, *inter alia*, (i) an illumination light guide, a read window, and a detection guide defining a light pathway, (ii) four overillumination redirection facets disposed about an outside perimeter of an illumination light guide, and (iii) the overillumination redirection facets configured to direct overilluminating light away from a light pathway.

Amended claim 25 recites a format (e.g., an apparatus) comprising, *inter alia*, (i) an illumination light guide comprising four sides defining an outside perimeter of the illumination light guide, and (ii) four overillumination redirection facets substantially surrounding the outside perimeter of the illumination light guide such that each overillumination redirection facet is adjacent to and in optical communication with a corresponding side of the illumination light guide.

Amended independent claim 29 recites a format (e.g., an apparatus) comprising, *inter alia*, (i) an illumination light guide, a read window, and a detection guide defining a light pathway, (ii) four overillumination facets located adjacent to and in optical communication with an illumination input area and an the illumination light guide, and (iii) the overillumination

facets disposed at acute angles relative to the light pathway and configured to direct overilluminating light away from the light pathway.

For at least these reasons, Applicants' request that the 35 U.S.C. § 112, second paragraph rejections of claim 1-10, 24-29, 31, and 32 be withdrawn and the claims allowed.

Anticipation Rejection of Claims 1, 7-9, 21-23 and 29-32 Based on Lemelson or Meserol

Claims 1, 7-9, 21-23, and 29-32 were rejected under 35 U.S.C. § 102(b) as being anticipated by Lemelson US 4,803,992 ("Lemelson") or Meserol EP 0 254 246 A2 ("Meserol"). Claims 21-23 have been cancelled, and thus, the rejection of these claims is rendered moot. The rejection of the remaining claims are respectfully traversed.

Lemelson's system differs from the claimed invention as described below. Lemelson discloses a catheter with an elongated housing 11 with a cable formed of four separate flexible light pipes 22, 24, 26, 28. (*See* column 3, lines 39-50). The apparatus also contains a plurality of reflective surfaces 14 and 15. (*See* column 4, lines 25-26). Light directed along and from the end of light pipe 22 is reflected through fluid, such as body fluid existing in a cavity 16. (*See c*olumn 4, lines 42-46). However, in contrast to the claimed invention, Lemelson fails to disclose or suggest (i) four overillumination redirection facets disposed about an outside perimeter of an illumination light guide, the overillumination redirection facets configured to direct overilluminating light away from a light pathway; (ii) four overillumination redirection facets substantially surrounding said outside perimeter of said illumination light guide such that each overillumination redirection facet is adjacent to and in optical communication with a corresponding side of said illumination light guide; or (iii) four overillumination redirection facets disposed at acute angles relative to a light pathway and configured to direct overilluminating light away from the light pathway.

Meserol's system also differs from the claimed invention. Meserol discloses a cuvette 10 with a cavity 22. (*See* FIGS. 1-4; column 4, lines 25-40). Meserol further discloses a light beam 30 from source 32 which passes through the cuvette and is reflected by reflecting prism 50 across cavity 22 to reflecting prism 48 where the light is reflected to optical element 36. (*See* FIG. 5; column 5, lines 22-46; column 6, lines 10-41). Similar to the shortcomings of Lemelson

discussed above, Meserol, too, fails to disclose or suggest overillumination redirection facets disposed about an outside perimeter of an illumination light guide, the overillumination redirection facets configured to direct overilluminating light away from a light pathway. That is, reflecting prisms 48 and 50 are adapted to merely reflect light through a fluid (i.e., along a light path) and **fail** to direct overilluminating light away from a light pathway. Furthermore, Meserol fails to disclose or suggest (i) four overillumination redirection facets substantially surrounding said outside perimeter of said illumination light guide such that each overillumination redirection facet is adjacent to and in optical communication with a corresponding side of said illumination light guide; or (ii) four overillumination redirection facets disposed at acute angles relative to a light pathway and configured to direct overilluminating light away from the light pathway. Thus, Meserol does not, and cannot, teach or suggest amended claim 1.

Independent Claim 1

Amended claim 1 recites a format comprising, *inter alia*, (i) an illumination light guide in optical communication with an illumination input area; (ii) an overillumination redirection component adjacent to and in optical communication with the illumination input area and the illumination light guide; and (iii) the overillumination redirection component comprising four overillumination redirection facets disposed about an outside perimeter of the illumination light guide, the overillumination redirection facets configured to directed overilluminating light away from a light pathway.

Lemelson discloses a device 10 that contains a plurality of reflecting surfaces 14 and 15. (*See* FIG. 1; column 4, lines 25-26). Lemelson further describes that reflecting surfaces 14 and 15 receive light energy passed through the lens 23 of the light pipe 22 from a source of light located at the other end of light pipe 22. However, unlike claim 1, reflecting surfaces 14 and 15 are not overillumination redirection facets disposed about an outside perimeter of an illumination light guide and configured to direct overilluminating light away from a light pathway. That is, reflecting surfaces 14 and 15 merely redirect light through a fluid and **fail** to direct overilluminating light away from a light pathway. In fact, reflecting surfaces 14 and 15 direct light from light pipe 22 to light pipe 28 (i.e., along the light pathway), not away, as recited in amended claim 1. (*See* Lemelson, FIG. 1; column 4, lines 25-54). Furthermore, Lemelson fails to teach or suggest an overillumination redirection component located adjacent to and in optical

communication with an illumination input area and an illumination light guide. In fact, Lemelson in general fails to teach or suggest an overillumination redirection component or an overillumination redirection facet. Thus, Lemelson does not, and cannot, teach or suggest amended claim 1.

Similar to the shortcomings of Lemelson, Meserol, too, fails to disclose or suggest overillumination redirection facets disposed about an outside perimeter of an illumination light guide and configured to direct overilluminating light away from a light pathway. That is, reflecting prisms 48 and 50 are adapted to merely reflect light through a fluid and fail to direct overilluminating light away from a light pathway, as recited in claim 1. Meserol also fails to teach or suggest an overillumination redirection component located adjacent to and in optical communication with an illumination input area and an illumination light guide. Thus, Meserol does not, and cannot, teach or suggest amended claim 1.

For at least the reasons cited herein, amended claim 1 is neither anticipated by nor rendered obvious over Lemelson or Meserol, and thus, should be in a condition for allowance.

Independent Claim 29

Amended claim 29 recites a format for optical analysis of samples comprising, *inter alia*, (i) an illumination light guide in optical communication with an illumination input area; and (ii) four overillumination facets located adjacent to and in optical communication with the illumination input area and the illumination light guide, the overillumination facets disposed at acute angles relative to a light pathway and configured to direct overilluminating light away from the light pathway.

As discussed for claim 1, Lemelson discloses a device 10 that contains a plurality of reflecting surfaces 14 and 15. (*See* FIG. 1; column 4, lines 25-26). Lemelson further describes that reflecting surfaces 14 and 15 receive light energy passed through the lens 23 of the light pipe 22 from a source of light located at the other end of light pipe 22. However, unlike claim 29, reflecting surfaces 14 and 15 are not overillumination facets disposed at acute angles relative to the light pathway and configured to direct overilluminating light away from the light pathway. Rather, reflecting surfaces 14 and 15 direct light from light pipe 22 to light pipe 28. (*See* Lemelson, FIG. 1; column 4, lines 25-54). Furthermore, Lemelson fails to teach or suggest an

overillumination facet located adjacent to and in optical communication with an illumination input area and an illumination light guide. Thus, Lemelson does not, and cannot, teach or suggest amended claim 29.

Similar to the shortcomings of Lemelson, Meserol, too, fails to disclose or suggest overillumination facets disposed at disposed at acute angles relative to the light pathway and configured to direct overilluminating light away from the light pathway. That is, reflecting prisms 48 and 50 are adapted to merely reflect light through a fluid and fail to direct overilluminating light away from a light pathway, as recited in claim 29. Meserol also fails to teach or suggest an overillumination facet located adjacent to and in optical communication with an illumination input area and an illumination light guide. Thus, Meserol does not, and cannot, teach or suggest amended claim 29.

For at least the reasons cited herein, amended claim 29 is neither anticipated by nor rendered obvious over Lemelson or Meserol, and thus, should be in a condition for allowance.

Dependent Claims 7, 9, 31, and 32

Claims 7, 9, 31, and 32, which depend either directly or indirectly from claims 1 or 29, are neither anticipated by nor rendered obvious over Lemelson or Meserol for at least the reasons discussed above in connection with claims 1 and 29. Thus, claims 7, 9, 31, and 32 should also be in a condition for allowance.

Obviousness Rejection of Claims 4-6 and 25-28 Based on Meserol, Lemelson, Lundsgaard, Naka, and/or Lipson

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Meserol in view of Lundsgaard US 5,525,518 ("Lundsgaard"). Claim 5 was rejected as being unpatentable over Meserol in view of Naka US 6,001,307 ("Naka"). Claim 6 was rejected as being unpatentable over Lemelson and Meserol. Claims 25 and 26 were rejected as being unpatentable over Lemelson in view of Lipson US 4,710,623 ("Lipson") and Meserol in view of Lipson. Claim 27 was rejected as being unpatentable over Meserol in view of Lipson and Lundsgaard. Claim 28 was rejected as being unpatentable over Meserol in view of Lipson and Naka. These rejections are respectfully traversed.

As discussed above, since all the elements of claim 1 cannot be found in Lemelson or Meserol, a *prima facie* case of anticipation cannot be established for the claimed invention. Furthermore, the rejection of dependent claims 4-6 based on Lemelson, Meserol, Lundsgaard, Naka, or any combination thereof, does not overcome the deficiencies discussed above for the anticipation rejections of independent claim 1. In this regard, Lemelson, Meserol, Lundsgaard, Naka, or any combination thereof, do not disclose or suggest all the elements of claims 4-6.

Furthermore, Lemelson, Meserol, Lundsgaard, Lipson, Naka, or any combination thereof, fail to disclose all the elements of claims 25-28, and thus, a *prima facie* case of obviousness cannot be established for these claims.

Amended claim 25 recites a format comprising, *inter alia*, (i) an illumination light guide in optical communication with an illumination input area; (ii) four overillumination redirection facets located proximate to and in optical communication with the illumination input area and the illumination light guide; and (iii) the overillumination redirection facets substantially surrounding an outside perimeter of the illumination light guide such that each overillumination redirection facet is adjacent to and in optical communication with a corresponding side of the illumination light guide.

As discussed for claim 1, Lemelson discloses a device 10 that contains a plurality of reflecting surfaces 14 and 15. (*See* FIG. 1; column 4, lines 25-26). Lemelson further describes that reflecting surfaces 14 and 15 receive light energy passed through the lens 23 of the light pipe 22 from a source of light located at the other end of light pipe 22. However, unlike claim 25, reflecting surfaces 14 and 15 are not overillumination redirection facets substantially surrounding an outside perimeter of an illumination light guide. That is, reflecting surfaces 14 and 15 merely redirect light through a fluid and are not overillumination redirection facets substantially surrounding the illumination light guide. Furthermore, Lemelson fails to teach or suggest overillumination redirection facets located proximate to and in optical communication with an illumination input area and an illumination light guide. In fact, Lemelson in general fails to teach or suggest overillumination redirection facets. Thus, Lemelson does not, and cannot, teach or suggest amended claim 25.

Similar to the shortcomings of Lemelson, Meserol, too, fails to disclose or suggest overillumination redirection facets substantially surrounding an outside perimeter of an illumination light guide. That is, reflecting prisms 48 and 50 are adapted to merely reflect light through a fluid and are not overillumination redirection facets substantially surrounding the illumination light guide. Meserol also fails to teach or suggest overillumination redirection facets located proximate to and in optical communication with an illumination input area and an illumination light guide. Thus, Meserol does not, and cannot, teach or suggest amended claim 25.

Lipson does not overcome the shortcomings of Lemelson or Meserol. Lipson discloses a reflective coating 22 layered over a first end 14 of a cable 12. (*See* column 4, lines 26-28). As shown in FIGS. 2 and 5 of Lipson, the reflective coating 22 is similar to the reflecting surface 14 and 15 in Lemelson and the reflecting prisms 48 and 50 in Meserol. That is, the citations in the Office action to Lipson do not add anything new to the citations from Lemelson or Meserol. In this regard, Lemelson, Meserol, Lundsgaard, Lipson, Naka, or any combination thereof, do not disclose or suggest all the elements of claims 25-28.

For at least these reasons, claims 4-6 and 25-28 are not rendered obvious over Lemelson, Meserol, Lundsgaard, Lipson, Naka, or any combination thereof. Thus, claims 4-6 and 25-28 should also be in a condition for allowance.

Added Claims 34-43

Independent claim 34 recites, *inter alia*, a format comprising (i) an illumination light guide having a first illumination end forming an illumination input area, the illumination light guide having an outside perimeter; (ii) a detection guide having a first detection end proximate a read window and a second detection end forming a detection area, the illumination light guide, the read window, and the detection guide defining a light pathway; (iii) an overillumination redirection component proximate the illumination input area and substantially surrounding the outside perimeter of the illumination light guide; and (iv) the overillumination redirection component comprising one or more overillumination redirection facets each disposed at an acute angle relative to the light pathway such that the overillumination redirection component is configured to direct overilluminating light away from the light pathway.

Support for the added claims can be found throughout the specification. For example, FIGS. 4 and 5 illustrate an overillumination redirection component 20 substantially surrounding the outside perimeter of an illumination light guide 18. FIGS. 4 and 5 further illustrate one or more overillumination redirection facets (e.g., 22, 24, 26, and 28) configured to direct overilluminating light away from a light pathway.

In contrast to added claim 34, Lemelson's reflecting surfaces 14 and 15 **fail** to disclose or suggest overillumination redirection facets disposed at acute angles relative to the light pathway such that the overillumination redirection component is configured to direct overilluminating light away from the light pathway. Rather, reflecting surfaces 14 and 15 direct light from light pipe 22 to light pipe 28. (*See* Lemelson, FIG. 1; column 4, lines 25-54). Furthermore, Lemelson fails to teach or suggest an overillumination redirection component proximate an illumination input area and substantially surrounding the outside perimeter of an illumination light guide.

Similar to the shortcomings of Lemelson, Meserol, too, fails to disclose or suggest overillumination redirection facets disposed at acute angles relative to the light pathway such that the overillumination redirection component is configured to direct overilluminating light away from the light pathway. That is, reflecting prisms 48 and 50 are adapted to merely reflect light through a fluid and fail to direct overilluminating light away from a light pathway, as recited in claim 34. Meserol also fails to teach or suggest an overillumination redirection component proximate an illumination input area and substantially surrounding the outside perimeter of an illumination light guide.

For at least these reasons, independent claim 34, along with its respective dependent claims 35-43, should be allowed.

CONCLUSION

Applicants submit that claims 1-10, 24-29, 31, 32, and 34-43 are in condition for allowance and action toward that is respectfully requested. If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (312) 425-8552.

* * * * *

It is believed that no fees are due other than the extension of time fee; however, should any fees be required (except for payment of the issue fee) or credits due, the Commissioner is authorized to deduct the fees from or credit any overpayments to Nixon Peabody LLP Deposit Account No. 50-4181, Order No. 247082-000274USPT.

Respectfully submitted,

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